

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

ROGELIO VALDEZ,)	
)	
Plaintiff,)	
)	
vs.)	2018 CV 5434
)	
Officer ANDREW LOWRY, et al.)	Magistrate Judge Jeffrey Cummings
)	
Defendants.)	

AGREED MOTION TO VACATE AND DISMISS WITH PREJUDICE

NOW COME the Defendants, Officer ANDREW LOWRY, Sgt. RAPHAEL ALVARADO, by and through their attorneys, Michael R. Hartigan of Hartigan & O'Connor, P.C.; Plaintiff, ROGELIO VALDEZ, by and through his attorneys, Torrey L. Hamilton of Hamilton Law Offices and Damon Cheronis of the Law Offices of Damon Cheronis, and pursuant to Fed.R.Civ.P. 60(b)(6), request that this Honorable Court vacate its Judgment and Dismiss with Prejudice and in support thereof, state the following:

1. On December 6-8, 2021, a jury trial was held.
2. On December 9, 2021, the jury reached its verdict. (D.E. 185).
3. On December 9, 2021, this Court entered judgment consistent with the jury's verdict. (D.E. 188).
4. On January 28, 2022, the parties reached a global settlement the terms of which included, but were not limited to, vacating this Court's December 9, 2021 judgment.
5. The parties first request that this Court enter an order vacating its judgment entered December 9, 2021.

6. The parties next request that this Court enter an order dismissing Defendants, Officer LOWRY and Sgt. ALVARADO, with prejudice.

7. The parties also request that this Court's order contain language dismissing the other five individual defendants who were voluntarily dismissed on December 3, 2021 (D.E. 174), with prejudice.

8. Finally, the parties request that this cause of action be dismissed with prejudice.

9. A proposed agreed order to this effect is attached hereto as Exhibit 204-1.

10. Should this motion be granted, counsel will submit the attached agreed order to Proposed_Order_Cummings@ilnd.uscourts.gov.

WHEREFORE, the parties respectfully request the relief sought herein.

Respectfully Submitted,

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